

Exhibit 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

E. CLAIBORNE ROBINS COMPANY, INC.,

Plaintiff,

v.

TEVA PHARMACEUTICALS INDUSTRIES
LTD, TEVA PHARMACEUTICALS USA, INC.,
TEVA PHARMACEUTICALS INTERNATIONAL
BMBH, AND CEPHALON, INC.,

Case No. 3:18-cv-827-MHL

Defendants.

EXPERT REPORT OF
GUY A. DAVIS, CPA, CIRA, CDBV, CFE

November 22, 2021

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SECTION A

QUALIFICATIONS

A. Qualifications

- 1) I, Guy A. Davis, am a forensic accountant with Protiviti Inc. (“Protiviti”), an international risk-management consulting firm with more than 70 offices in over 20 countries. I am a Managing Director and lead Protiviti’s Restructuring and Litigation Services practice (“RLS”). I was a co-founder of PENTA Advisory Services, LLC (“PENTA”), the predecessor entity to Protiviti’s RLS practice.
- 2) Over the past 30 years, I have performed a variety of forensic accounting and financial consulting services in bankruptcies, distressed environments, and other contexts, including in areas such as operations management, asset liquidation, debt restructuring, asset recovery, fraud investigation, and financial analysis. I have prepared plans of reorganization, business valuations, liquidation analyses, preference and fraudulent conveyance analyses, cash flow projections, and other related analyses typically required by debtors and creditors in insolvency or distressed situations. I have also served as acting Chief Financial Officer of debtor organizations, court-approved Chief Liquidation Officer, claims and disbursing agent, and as accountant to Chapter 7 and Chapter 11 trustees, creditor committees, and equity committees. I have also testified as an expert witness in multiple U.S. District, Bankruptcy, and state courts across the country.
- 3) During this time, I have served as a financial advisor and/or expert witness in many litigation matters, including fraudulent conveyance, preference recovery, breach of contract, D&O liability, accounting malpractice, patent infringement and reasonable royalty, employment dispute, Ponzi scheme, shareholder dispute, franchise termination, regulatory compliance, marital dissolution, and tax fraud. I have provided these services on behalf of corporations, partnerships, governmental agencies, individuals, class action plaintiffs, sureties, and financial institutions.
- 4) In connection with these services, I am frequently called upon to value business enterprises and/or retroactively assess the financial condition of a company as of specific measurement dates. I have served as a solvency or valuation expert in several notable bankruptcy or distressed company matters including K-Mart Corporation (*N.D. Illinois*), Adelphia Communications Corporation (*Southern District of New York*), HealthSouth (*Circuit Court of Jefferson County Alabama*), Heilig-Meyers Company (*Eastern District of Virginia*), MF Global (*Southern District of New York*), Jevic Trucking (*District of Delaware*), Allen Stanford (*Northern District of Texas*), Payless Cashways (*Western District of Missouri*), Erie Power Technologies, Inc. (*Western District of Pennsylvania*), Nationwide Warehouse & Storage, LLC (*Northern*

District of Georgia), Central Grocers, Inc. (Northern District of Illinois), MS Grand, Inc. (Eastern District of Virginia), and Nine West Holdings, Inc. (Southern District of New York). I have also valued businesses in connection with estate planning, loan collateral analysis, raising debt and equity capital, and purchasing or selling portions or all of a business enterprise.

- 5) My financial consulting and valuation experience spans a broad range of industries, including, but not limited to, retail, financial services, apparel, resort and hospitality, health care, public utilities, professional sports, banking, communications, wholesale distribution food service, equipment manufacturing, furniture rental, insurance, pharmaceutical manufacturing, equipment leasing, steel fabrication, ship repair, heavy highway construction, and mining.
- 6) I am a Certified Public Accountant (CPA), a Certified Insolvency and Restructuring Advisor (CIRA), a Certified Fraud Examiner (CFE), and hold a Certification in Distressed Business Valuation (CDBV). I have a Master's Degree in Business Administration from Loyola College in Maryland and a Bachelor's of Science in Business Administration (cum laude) from the University of Richmond with a concentration in Finance.
- 7) In 2007, I was inducted as a fellow into the American College of Bankruptcy (the "College"), an honorary association of bankruptcy and insolvency professionals, including distinguished judges, attorneys, law professors, U.S. trustees, and financial advisors. Nominees for induction to the College are invited to join based on the highest standards of professionalism and service to the profession.
- 8) I co-authored the Bankruptcy Tax and Accounting section of the Virginia CLE and the Virginia Law Foundation's Bankruptcy Practice in Virginia publication. I also authored and presented "Mark-to-Market Accounting and FASB 157 – The Impact on the Current Financial Crisis" for the American College of Bankruptcy 2009 Annual Meeting in Washington D.C. Over the past 15 years, I have taught several continuing education courses to accountants and attorneys on the topics of bankruptcy, accounting, solvency, valuation, and forecasting techniques. A more detailed description of my experience and qualifications and a listing of my trial and deposition testimony experience are provided as Exhibit 9.

SECTION B

ASSIGNMENT

B. Assignment

- 9) In August 2007, pharmaceutical developer E Claiborne Robins Company, Inc. (“ECR”) sold the rights to Amrix, a patented extended release skeletal muscle relaxant (cyclobenzaprine hydrochloride) to Anesta AG (“Anesta”), a Swiss subsidiary of Cephalon, Inc. (“Cephalon”), an American biopharmaceutical company. Pursuant to the asset purchase agreement, Anesta was obligated to pay ECR \$100 million plus future royalty payments over a 12-year period that were triggered by cumulative net sales milestones as set forth in the contract.¹
- 10) On October 14, 2011, Cephalon and Anesta were acquired by Teva (“Teva” is defined collectively as Teva Pharmaceuticals Industries Ltd., Teva Pharmaceuticals USA, Inc., or Teva Pharmaceuticals International GMBH, or individually as applicable).² As part of the acquisition, Teva assumed Anesta’s financial obligations under the Amrix purchase agreement. To ensure that fair consideration was paid to ECR, at all times, Anesta and Teva were required to use “commercially reasonable efforts” (as defined in the purchase agreement) to market and sell Amrix.
- 11) Beginning in 2017, under Teva ownership, Amrix net sales declined dramatically, as did the associated royalty payments to ECR. ECR has alleged that Teva did not use the requisite “commercially reasonable efforts” to market and sell the Amrix product during this time period.
- 12) In connection with this dispute, counsel for ECR, Miles & Stockbridge P.C., engaged Protiviti Inc., under my direction, on May 11, 2021, to provide forensic accounting and litigation support services. Specifically, Protiviti was asked to:
 - a) Assess Teva’s financial condition following several negative market and company-specific events that occurred in 2016 and 2017.

¹ Asset Purchase Agreement dated August 23, 2007 between Anesta AG and E. Claiborne Robins Company, Inc. (ROBINS_0011074).

² “Teva Completes Acquisition of Cephalon,” Fierce Pharma, October 14, 2011. (<https://www.fiercepharma.com/pharma/teva-completes-acquisition-of-cephalon>).

- b) Determine whether the remediation strategy adopted by Teva, in response to the financial distress caused by the 2016 and 2017 negative market and company-specific events: 1) required Teva to dramatically cut operating and marketing expenses, despite the anticipated negative impact on long-term profits, and 2) whether such cuts represented a departure from Teva's normal business practices with respect to marketing and selling its products.
- c) Assess the statistical correlation between the direct and indirect investments made by Teva and Cephalon, to market and sell Amrix from 2007 through 2019 and the attendant sales results for each year, and opine whether cuts to the Amrix promotional efforts in 2017-2018³ resulted in a decline in Amrix net sales and operating profits.⁴

13) Protiviti has completed its assignment. My opinions regarding Teva's financial condition, and remediation strategy, and the information that serves as a basis for those opinions, are set forth in sections E.1 and E.2 of this report. The results of my statistical analysis of Teva's marketing investment and Amrix revenue is contained in Section E.3 and Exhibits 6 and 7 of this report. In doing my analysis, I have relied on publicly available sources of information typically relied upon in the industry for evaluating the financial condition of a publicly traded company (like Teva), and additional materials made available through discovery in this case, including Teva's internal documents and the testimony of former Teva employees as described in more detail below.

³ I have been asked also to consider any costs for marketing and selling Amrix in 2019 and 2020 if Teva produces such data in discovery as requested.

⁴ To facilitate the analysis performed by other plaintiff experts, Protiviti was also asked to compile, organize, and present prescription statistics and other data obtained from IQVIA and other publicly available sources.

SECTION C

SUMMARY OF OPINIONS AND INVESTIGATION RESULTS

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

SECTION D

FACTUAL BACKGROUND

REDACTED

SECTION E

ANALYSIS AND FINDINGS

REDACTED

SECTION F

OTHER MATTERS TO CONSIDER

REDACTED

REDACTED

SECTION G

CONCLUSIONS

REDACTED

REDACTED

SECTION H

DOCUMENTS AND INFORMATION CONSIDERED

REDACTED

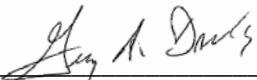
REDACTED

SECTION I

EXPERT'S COMPENSATION

I. Expert's Compensation

- 79) I am compensated based on the time incurred at an hourly rate of \$690 per hour. Protiviti charges between \$215 and \$500 per hour for other consultants who worked on this report. As of November 21, 2021, my staff and I have worked 1,052 hours on this assignment. My staff's blended average rate is \$381 per hour.
- 80) Our fees are not contingent on the opinions expressed or the outcome of this case or any other litigation matter.



Dated: November 22, 2021

Guy A. Davis, CPA, CIRA, CDBV, CFE

EXHIBITS 1 - 7

DAVIS EXPERT REPORT EXHIBITS

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

EXHIBIT 8

DOCUMENTS AND INFORMATION RELIED UPON

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

EXHIBIT 9

DOCUMENTS IN THE DISCOVERY
DATA ROOM

EXHIBIT 10

DOCUMENTS SPECIFICALLY REVIEWED
FROM THE DISCOVERY DATA ROOM

EXHIBIT 11

RESUME AND TESTIMONIAL EXPERIENCE OF
GUY A. DAVIS, CPA, CIRA, CDBV, CFE

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Areas of Expertise

- Corporate Restructuring & Recovery
- Litigation & Financial Investigation

Clients / Matters Served

- | | |
|----------------------|-------------------|
| • Circuit City | • MF Global |
| • Kyanite Mining | • Gymboree |
| • Erie Power | • HealthSouth |
| • Heilig-Meyers Inc. | • Alpha Nat. Res. |
| • Land America | • Gen Re |
| • Dominion Resources | • Adelphia |
| • Samsung | • UMWA |
| • Sears | • Nine West |
| • Purdue Pharma | • Mallinckrodt |

Education & Certifications

- BS, E.Claiborne Robins School of Business, University of Richmond
- MBA, Loyola College in Maryland
- American College of Bankruptcy Fellow
- Certified Public Accountant
- Certified Insolvency & Restructuring Advisor
- Certification in Distress Business Valuation
- Certified Fraud Examiner

Professional Memberships

- American College of Bankruptcy Fellows
- American Institute of CPAs
- Association of Insolvency & Restructuring Advisors
- Institute of Business Appraisers
- Virginia Society of CPAs

Professional Experience

Guy Davis is a Managing Director with Protiviti Inc. and leads the firm's Restructuring & Litigation Services practice. He has 32 years of accounting, finance, and consulting experience in the areas of corporate restructuring, commercial litigation, financial investigations, and valuation.

Principal Areas of Practice

Corporate Restructuring – Mr. Davis has performed a variety of financial advisory and fiduciary services to troubled entities including: operations management, asset liquidation, debt restructuring, asset recovery, fraud investigation, solvency analyses, and business valuation. He has served as CFO of debtor organizations, Chief Liquidation Officer, court-approved claims and disbursing agent, and accountant to Chapter 7 trustees. He has also testified as an expert witness in U.S. district, bankruptcy, and state courts across the country. His services have been provided to corporations and estates in the sub-prime mortgage, health care, energy, broker dealer, manufacturing, retail, insurance, furniture rental, equipment leasing, steel fabrication, ship repair, heavy highway construction, mining, and hospitality industries.

Litigation, Financial Damage Analysis - Mr. Davis has prepared research and analyses to determine compensatory and punitive damages related to several litigation matters involving patent infringement and reasonable royalty, breach of contract, employment disputes, negligence, franchise termination, fraudulent conveyances, and marital dissolution. He has qualified as a financial expert and/or has provided testimony on behalf of corporations, individuals, class action plaintiffs, sureties, and financial institutions.

Business Valuation - Mr. Davis has performed numerous business valuations for use in bankruptcy, estate planning, purchase and sale of a business, litigation matters, and loan collateral analysis. These valuations were for hotels, restaurants, printing companies, medical practices, construction contractors, distributors, manufacturers, retailers, and others. His significant valuation experience includes:

- Valuation of MF Global, an international Futures Commission Merchant and broker-dealer operating in 70 exchanges around the world.
- Valuation of HealthSouth, the nation's largest operator of rehabilitation hospitals.
- Valuation of K-Mart, a multibillion-dollar general merchandise retailer.

Merger, Acquisitions and Business Formation - Mr. Davis has assisted several clients in purchasing, selling, or forming an equity interest in privately-held businesses. These services included development of comprehensive business plans, evaluation and financial analysis of economic returns, assessment of management compatibility and operational synergies, evaluation of stock versus asset purchases and the tax ramifications of the transaction, and presentation to potential lenders and private placement investors.

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Papers, Publications, and Presentations

- "Structured Dismissals and Conversions" - co-author and panel member for the Association of Insolvency Restructuring Advisors at the National Conference of Bankruptcy Judges, October 10, 2017, Las Vegas.
- "Making Sense of the Numbers...Specialized Topics in Litigation" presentation to the Richmond Bar Association, September 19, 2017. Richmond, Virginia.
- "Everything's Changed – What's Next in Bankruptcy Reporting" - co-author and panel member for the Association of Insolvency Restructuring Advisors at the National Conference of Bankruptcy Judges, October 28, 2016, San Francisco.
- "Preference Defense from a Financial Advisor's Perspective" - co-author and panel member for the Credit Research Foundation's Credit and Accounts Receivable Forum and Expo, August 9, 2016 Chicago, IL.
- "Bankruptcy Tax and Accounting Issues – Supplement" (Copyright 2016) for Virginia CLE and the Virginia Law Foundation (co-author). Bankruptcy Practice in Virginia.
- "Proposed Fee Guidelines for Financial Advisors in Large Chapter 11 matters." Co-author and panel member for the Association of Insolvency Restructuring Advisors at the National Conference of Bankruptcy Judges, October 10, 2014. Chicago, IL.
- "A Financial Advisor's Role in Chapter 7 Bankruptcies" for the Journal of The National Association of Bankruptcy Trustees, NAB Talk Fall 2013 Volume 29 Issue 3.
- "A Comparative Analysis of Chapter 11, Receiverships and Assignments of the Benefit of Creditors" for the National Conference of Bankruptcy Judges Joint Program of the Association of Insolvency & Restructuring Advisors and the American College of Bankruptcy. October 26, 2012. San Diego, CA.
- "The Daubert Challenge: Plan Confirmation and Solvency Valuation Experts" Mid-Atlantic Institute on Bankruptcy and Reorganization, September 2012.
- "Control Premiums: Exploring the Complexities of a Seemingly Simple Concept" AIRA Journal Volume 24, Number 4 October/November 2010.

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Papers, Publications, and Presentations (*continued*)

- “Bankruptcy Tax and Accounting Issues – Supplement” (Copyright 2010) for Virginia CLE and the Virginia Law Foundation (co-author). Bankruptcy Practice in Virginia.
- “Surf’s Up on Fresh Start Accounting” – co-author, AIRA Bankruptcy & Restructuring Conference, June 11, 2010.
- “Mark-to-Market Accounting and FASB 157 – The Impact on the Current Financial Crisis” for the American College of Bankruptcy Annual Meeting, March 28, 2009, Washington D.C.
- “Bankruptcy Tax and Accounting Issues – Supplement” (Copyright 2008) for Virginia CLE and the Virginia Law Foundation (co-author). Bankruptcy Practice in Virginia.
- “Bankruptcy Tax and Accounting Issues – Supplement” (Copyright 2005) for Virginia CLE and the Virginia Law Foundation (co-author). Bankruptcy Practice in Virginia.
- “Bankruptcy Tax and Accounting Issues” (Copyright 2004) for Virginia CLE and the Virginia Law Foundation (co-author). Bankruptcy Practice in Virginia.
- “Selection of the Restructuring Platform” (Copyright 2003) for Bankruptcy Law News, and Corporate Corridors
- “Regional Trends in Bankruptcy Filings” (Copyright 1997) for Bankruptcy Law News, Vol. XII, No. 3.
- “Bankruptcy Survey - C. W. Amos & Company’s financial database on area bankruptcies provides valuable information for both lenders and creditors. Here are some highlights...” (1995) co-authored with Debora A. Pavlik for the Richmond Ventures Magazine
- “Inventory Management and the Economic Order Quantity (EOQ)” (1991) prepared for the Notes and Footnotes Publication distributed to over 3,500 Maryland corporations by C. W. Amos & Company.
- “Choosing from a Vast Selection of Legal Time and Billing Software” (1990) prepared for The Daily Record, a Maryland daily business and legal news publication.

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Testimony, Affidavits, and Expert Reports (2006 - 2021)

- Trial testimony and exhibit preparation in the matter of Cardinal Homes, Inc. (chapter 11 debtor-in-possession). Collateral value, plan feasibility, adequate protection. Case No. 19-36275 – KRH. U.S. Bankruptcy Court of the Eastern District of Virginia (testimony provided at several hearings in 2020). *Our client: Debtor.*
- Trial Testimony and Expert Report on behalf of Mudrick Capital Management in the matter of Quorum Health Corporation (chapter 11 debtor-in-possession). Case No 20-10766 – KBO. U.S. Bankruptcy Court District of Delaware. Report filed in 2020. *Our client: Mudrick Capital Management (equity holder).*
- Mediation Presentation and expert testimony on behalf of the Ad Hoc Committee of Personal Injury Victims in the matter of Purdue Pharma L.P. (chapter 11 debtor-in-possession). Case No. 19-08289 – RDD. United States Bankruptcy Court for the Southern District of New York. Testimony in 2020. *Our client: Ad Hoc Committee of Personal Injury Victims.*
- Mediation testimony and expert report in the matter of Alfantary, et al. v. Nikko Asset Management. Case No. 17-CV-05137. United States District Court Southern District of New York. Testimony and report in 2020 (trial pending). *Our client: former Nikko executives.*
- Arbitration testimony and declaration in the matter of JWalk Holdings, LLC v. Shiseido Americas Corporation. Judicial arbitration and mediation services, Inc. JAMS Reference No: 1425026794. Reported filed in 2019. *Our client: Claimant.*
- Expert reports in the Official Committee of Unsecured Creditors of Nine West Holdings, Inc. v. Nine West Holdings, Inc. et al. Case No 18-10947, U.S. Bankruptcy Court for the Southern District of New York (report filed in 2018). *Our client: Plaintiff.*
- Trial testimony and expert report in International Paper Company, A New York Corporation v. County of Isle of Wight. Case No. CL17000704-00, Circuit Court of Isle of Wight County (report filed in 2018). *Our client: Plaintiff.*
- Expert report in Ralph S. Janvey, in his capacity as Court Appointed Receiver for the Stanford International Bank, Ltd., et al. v. James R. Alguire, et al. Case No. 3:09-CV-0724-N-BQ, United States District Court, Northern District of Texas, Dallas Division (report filed in 2018). *Our client: Defendant.*
- Trial testimony, expert report, and deposition testimony in the matter of Allonhill, LLC v. Stewart Lender Services, Inc. Adversarial Case No. 16-50419(KG) U.S. Bankruptcy Court of the District of Delaware. Report filed in 2018. Reported Opinion by Hon. Kevin Gross, April 24, 2019. *Our client: Defendant.*
- Trial testimony and expert report in Town of Stephens City, Virginia v. Frederick County Sanitation Authority, Case No. CL15-591, Circuit Court of Frederick County, Virginia. Testimony trial and expert report filed in 2018. *Our client: Defendant.*

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Testimony, Affidavits, and Expert Reports (2006 - 2021) *continued*

- Expert report and deposition testimony in the matter of Cung Le, et al. v. Zuffa, LLC. Lead Case No. 2:15-CV-01045-RFB-(PAL). United States District Court, District of Nevada. Report filed in 2017. *Our client: Plaintiffs.*
- Arbitration testimony and declaration in the matter of The United Mine Workers of America 1974 Pension Plan and Trust v. Peabody Energy Corporation. Case No. 01-16-0001-2286. American Arbitration Association. Civil Action No. 1:15-CV-00138 The U.S. District Court for the District of Columbia. Report filed in 2016. *Our client: Plaintiff.*
- Declaration in support of the Objection of the Official Committee of Unsecured Creditors to Certain Aspects of the Adequate Protection Offered by Debtors to Pre-Petition Lenders and Second Lien Noteholders and Certain Other Rights and Protections Granted to same in Alpha Natural Resources. Case No. 15-33896, U.S. Bankruptcy Court of the Eastern District of Virginia. Declaration filed in 2015. *Our client: Creditors' Committee.*
- Expert report in Dr. Thomas B. Leecost v. Capital Division, Inc. Case No. CL1400547000, Circuit Court for the City of Richmond (report filed in 2016). *Our client: Defendant.*
- Deposition Testimony and Expert Report in MF Global Holdings, Lt. Investment Litigation Trustee, Joseph DeAngelis v. Jon S Corzine, et al. Case No. 11-08766 (VM). U.S. District court Southern District of New York. Report filed in 2015. *Our client: Plaintiff.*
- Expert and rebuttal report in MF Global Holdings, Ltd. As Plan Administrator v. PriceWaterhouseCoopers LLP. Civil Action No. CV-14-02197 (VM). U.S. District Court Southern District of New York. Report filed in 2015. *Our client: Plaintiff.*
- Trial testimony and expert report in Dominion Virginia Power v. Bransen Energy, Inc. Case No. 3:14-CV-00528 (JRS) U.S. District Court Eastern district of Virginia. Trial testimony and report filed in 2015. *Our client: Plaintiff.*
- Expert Report in Sharon E. Madere v. Christian & Barton, LLP, et al. Case No. CL14-02805 Circuit Court for the City of Richmond. Report filed in 2015. *Our client: Defendant.*
- Deposition testimony and expert report in General Medicine, P.C. v. HealthSouth Corporation. Circuit Court of Jefferson County, Alabama Civil Division. Report filed in 2014. *Our client: Defendant.*

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Testimony, Affidavits, and Expert Reports (2006 - 2021) *continued*

- Deposition Testimony and Expert Report in Official Committee of Unsecured Creditors, by and on behalf of MS Grand, Inc. and its bankruptcy estate v. Home Depot U.S.A., Inc., Case No. 12-01475, U.S. Bankruptcy Court for the Eastern District of Virginia (deposition testimony given and report filed in 2014). *Our client: Plaintiff.*
- Expert Report in Official Committee of Unsecured Creditors, by and on behalf of MS Grand, Inc. and its bankruptcy estate v. Northern Illinois Gas Company, Case No. 12-01480, U.S. Bankruptcy Court for the Eastern District of Virginia (report filed in 2014). *Our client: Plaintiff.*
- Expert Report in Official Committee of Unsecured Creditors, by and on behalf of Min Sik Kang and Man Sun Kang and their bankruptcy estates v. Yeon K. Han, et al., Case No. 12-01496, U.S. Bankruptcy Court for the Eastern District of Virginia (report filed in 2014). *Our client: Plaintiff.*
- Declaration In re: Atari, Inc., et. al., Case No. 13-10176, U.S. Bankruptcy Court Southern District of New York (declaration filed 2013). *Our Client: Debtor.*
- Declaration and expert report In re: Glebe, Inc., Case No. 10-71553, U.S. Bankruptcy Court Western District of Virginia (declaration and expert report filed in 2012). *Our Client: Debtor.*
- Expert Report in Charles W. Reis, Chapter 7 Trustee v. Breakwater Marine, L.L.P., Case No. 11-04702, U.S. Bankruptcy Court for the District of Minnesota (report filed in 2012). *Our client: Defendant.*
- Expert Report in Charles W. Reis, Chapter 7 Trustee v. Daniel Lindsay, Case No. 11-04671, U.S. Bankruptcy Court for the District of Minnesota (report filed in 2012). *Our client: Defendant.*
- Expert Report in Charles W. Reis, Chapter 7 Trustee v. Irwin L. Jacobs, Case No. 11-04672, U.S. Bankruptcy Court for the District of Minnesota (report filed in 2012). *Our client: Defendant.*

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Testimony, Affidavits, and Expert Reports (2006 - 2021) *continued*

- Expert Report in Charles W. Reis, Chapter 7 Trustee v. Jacobs Management Corporation, Case No. 11-04676, U.S. Bankruptcy Court for the District of Minnesota (report filed in 2012). *Our client: Defendant.*
- Expert Report in Charles W. Reis, Chapter 7 Trustee v. Operation Bass, Inc., Case Nos. 11-04715, 11-04673, 11-04722, 11-24695, 11- 04716, U.S. Bankruptcy Court for the District of Minnesota (report filed in 2012). *Our client: Defendant.*
- Expert Report in Charles W. Reis, Chapter 7 Trustee v. VEC Technology, LLC, Case Nos. 11-03390, 11-03391, 11-04723, 11-04720, U.S. Bankruptcy Court for the District of Minnesota (report filed in 2012). *Our client: Defendant.*
- Expert Report in Virginia Power Energy Marketing, Inc. v. EQT Energy, LLC, Case No. 3:11-cv-630-REP, U.S. District Court for the Eastern District of Virginia (report filed in 2012). *Our client: Plaintiff.*
- Expert Report in Official Committee of Unsecured Creditors, on behalf of the bankruptcy estates of Jevic Holding Corp., et al., v. The CIT Group/Business Credit, Inc., Case No. 08-51903, U.S. Bankruptcy Court for the District of Delaware (report filed in 2012). *Our client: Plaintiff.*
- Declarations In re: Howrey LLP, Case No. 11-31376, U.S. Bankruptcy Court Northern District of California (declarations filed 2011). *Our Client: Debtor.*
- Deposition Testimony and Expert Report in Akshay K. Dave v. Pikeville Energy Group, Gary Richard and Banner Industries, Inc., Case No. CL10-3530, Circuit Court of the City of Richmond, Virginia (deposition testimony and report filed in 2011). *Our client: Plaintiff.*
- Expert Report in Storehouse, Inc., Debtor, Case No. 06-11144, U.S. Bankruptcy Court for the Eastern District of Virginia (report filed in 2011).
- Expert Report in Penny Plate, Inc., Penny Plate Canada, Inc., Case No. 092684, Circuit Court of the County of Henrico (report filed in 2011). *Our client: Defendants.*

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Testimony, Affidavits, and Expert Reports (2006 - 2021) *continued*

- Affidavit and Expert Report in Adelphia Communications Corp., et al. v. Prestige Communications of NC, Inc., Jonathan J. Oscher, Lorraine Oscher McClain, Robert F. Buckfelder, et al., Case No. 04-03293, U.S. District Court Southern District of New York (affidavit and report filed in 2010). *Our client: Defendants.*
- Trial and Deposition Testimony and Expert Report in John W ("Jack") Teitz, as Trustee of Estate of Buffalo Coal Company, Inc. v. The Virginia Electric and Power Company, Inc., Case Nos. 08-00038 and 08-00041, U.S. Bankruptcy Court for the Northern District of West Virginia (trial and deposition testimony given and report filed in 2009). *Our client: Defendant.*
- Trial and Deposition Testimony and Expert Report in H. Lynden Graham, as Trustee of the Estate of United Energy Coal, Inc. v. The Virginia Electric and Power Company, Inc., Case No. 08-AP-0045, U.S. Bankruptcy Court for the Northern District of West Virginia (trial and deposition testimony given and report filed in 2009). *Our client: Defendant.*
- Appraisal of 100% Membership Interest in CSX IP, LLC (report filed in 2009).
- Expert Report in First NLC, Inc. v. NLC Holding Corp., FNLC Financial Services, Inc., Blue Boy Limited Partnership, NSH Ventures II, L.P., and Friedman Billing Ramsey Group, Inc., Case No. 08-10632-BKC, U.S. Bankruptcy Court for the Southern District of Florida, West Palm Beach Division (report filed in 2008). *Our client: Defendants.*
- Expert Report in Amp'd Mobile, Inc. v. Merrill Lynch, Pierce, Fenner & Smith, Inc., Case No. 08-50272, U.S. Bankruptcy Court for the District of Delaware, (report filed in 2008). *Our client: Plaintiff.*
- Expert Report in Corinthian Mortgage Corporation d/b/a SouthBanc Mortgage, v. Choicepoint Precision Marketing, LLC, Case No. 1:07cv832 JCC/TRJ, U.S. District Court for the Eastern District of Virginia, Alexandria Division (report filed in 2008). *Our client: Defendants.*
- Expert Report in Leila Meyerson, et al. vs. Allen McGee, Michael Wallace, Lloyd Goldman, Wilfred Posluns, Radiology Corporation of America, Inc., Case No. 07-80339-CIV-Middlebrook/Johnson, U.S. District Court for the Southern District of Florida (report filed in 2008). *Our client: Defendant.*

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Testimony, Affidavits, and Expert Reports (2006 - 2021) *continued*

- Expert Report in Hancock Fabrics, Inc. v. S.C. Diamond Associates, L.P., et al., Case No. 07-10353, U.S. Bankruptcy Court for the District of Delaware (report filed in 2008). *Our client: Defendants.*
- Expert Report in Corinthian Mortgage Corporation d/b/a Southbanc Mortgage v. Summit Financial, LLC, (Chubb & Son, Inc.) et al., Case No. 187513, Circuit Court of Fairfax County (report filed in 2007). *Our client: Defendants.*
- Expert Report In re: The Rowe Companies, et. al., Case No. 06-11142, U.S. Bankruptcy Court for the Eastern District of Virginia (expert report filed in 2007). *Our client: Debtor.*
- Trial Testimony and Expert Report in Jonathan F. Johnson v. SuperValu, Inc. and Richfood, Inc., Case No. L5785-4, Circuit Court of the City of Richmond in the State of Virginia (jury trial testimony given and report filed in 2007). *Our client: Defendants.*
- Expert Report in Erie Power Technologies, Inc. v. Aalborg Industries A/S et al., Case No. 04-282E (SJM), U.S. District Court for the Western District of Pennsylvania (report filed in 2006). *Our client: Plaintiff.*
- Deposition Testimony and Expert Report in William Kaye, as Trustee of The Murray Liquidation Trust vs. Various Defendants, Case No. 04-13611, U.S. Bankruptcy Court Middle District of Tennessee, Nashville Division (deposition testimony and expert report filed in 2006). *Our client: Plaintiff.*
- Deposition Testimony and Expert Report of William Kaye, as Liquidating Trustee of The Gadzooks Creditors' Trust v. Fashion Avenue Knits, Inc. and Rosenthal & Rosenthal, Inc. et al., U.S. Bankruptcy Court Northern District of Texas, Dallas Division (deposition and expert report filed in 2006). *Our client: Plaintiff.*
- Affidavit in Marla Reynolds, Liquidating Trustee of the Git-n-Go Creditors' Trust v. Ron Ford, et al., Case No. CJ-2006-00648, District Court in and for Tulsa County State of Oklahoma (affidavit filed in 2006). *Our client: Plaintiff.*
- Expert Report in The Official Committee of Unsecured Creditors of Pillowtex Corporation vs. Xymid LLC, Case No. 05-30238, U.S. Bankruptcy Court District of Delaware (report filed in 2006). *Our client: Defendant.*